

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES
JULY 7, 2009
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

Commissioner Lindell – Present
Commissioner Sheldon – Present
Commissioner Smith – Present
Commissioner Swain – Present
Commissioner Acton – Present
Commissioner Russo - Present
Chairman Backer – Present

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Approval of the minutes from the June 3, 2009 Planning Commission Meeting

Commissioner Lindell asked that the vote on page 3 regarding Petition 09-06 be recorded differently. The minutes state that the vote was all in favor with the vote 3-2 with 1 absent. He asked that the words all in favor be removed.

ACTION: A motion was made by Commissioner Swain to approve the minutes of the June 3, 2009 Planning Commission Meeting with the correction of the vote on page 3. The motion was seconded by Commissioner Lindell.

VOTE:

All in favor VOTE: 7-0 Motion Carried

NEW BUSINESS:

The Planning Commission Reviewed Petition 09-08 Tax Parcel Number 1900400058 known as 1107 Kirkwood Hwy.

Kimberly Hoffman, the attorney for Metro, PCS presented the application to the Planning Commission and stated that they are requesting a special exception use permit to allow the addition of cellular equipment to an existing lattice tower at the Elsmere Fire Hall. She introduced her team who will answer all the Commissions questions. Radio Frequency Engineer, Clement Poole, Structural Engineer, Peter Secaulus, Site Acquisition Specialist, Stan McNamary. Ms. Hoffman continued stating that they looked at the community and decided that by choosing to use the Fire Company lattice tower it would have the least impact on the community because they would not be constructing a new tower from the ground, they are using a tower that already exists. She stated that they believe that this will be beneficial to the Town because the current tower does not meet the newest code standards for lattice towers and the application that they are proposing will bring the tower into complete code compliance creating a safer condition for neighboring properties and businesses.

Chairman Backer asked Mr. Poole what category the transmissions would be in.

Mr. Poole stated that this would remain with the standard communications frequency and that this tower would not interrupt any current uses in the area.

Code Enforcement Officer Keith Brown asked Ms. Hoffman to clarify what she meant when she stated that the lattice tower does not meet the current IBC.

Ms. Hoffman stated that she has been informed that the lattice tower does not meet the current IBC standards, however that was probably not the case when the tower was constructed. Their application proposes to upgrade the tower and bring it into a closer structural compliance with the IBC.

The structural engineer Peter stated that they plan to replace some of the members in the tower that appear to be failing and shore up the tower and make it overall more stable and structurally sound and that they would be adding additional anchors to the structure.

Mr. Brown asked how much the equipment that is being installed weighs.

Peter answered that each antenna and equipment for each antenna is about 100 pounds the antenna total is about 450 pounds. This weight is the reason they propose to upgrade the tower to bring it into code compliance.

Mr. Brown asked if they feel that without the upgrades the lattice tower poses a danger to neighboring properties.

Peter stated that he does believe that to be true.

Commissioner Acton asked Ms. Hoffman if they propose to change the overall height of the existing tower.

Ms. Hoffman stated that this plan does not propose to change the current height of the lattice tower.

Commissioner Swain asked if they proposed to place transmitters for multiple carriers on this tower.

Ms. Hoffman stated that they currently only propose that one carrier use this tower.

Commissioner Lindell asked where they plan to place the equipment control boxes.

Ms. Hoffman stated that the boxes would be placed near the base of the tower and kept from clear of all means of egress.

Commissioner Lindell asked if there were any safety or health concerns with placing this tower so close to a residential area.

Ms. Hoffman explained that they hired a consultant to conduct a study regarding the federal guidelines for telecommunications safety and health concerns. She submitted said report for the record.

The commission expressed their concerns with the possibility that other carriers would petition to put equipment on the tower once the improvements were made.

Commissioner Swain asked Ms. Hoffman if Metro PCS currently had a coverage problem in Elsmere.

Ms. Hoffman stated that there is a considerably large hole in the coverage area that would be covered if this petition were to be approved.

Commissioner Swain asked if any other properties were considered when they looked into placing the tower in Elsmere.

Ms. Hoffman stated that they looked into several other sites, however the owners were not interested. They were only looking for sites with existing tall structures.

Commissioner Swain asked Ms. Hoffman if this tower would allow them to have full coverage in the Town of Elsmere.

Ms. Hoffman agreed stating that is true there would no longer be a coverage gap throughout the Town of Elsmere.

Commissioner Swain commented that he does not feel that the tower will help the Town's Main Street USA goal for the appearance of the Town.

Mayor Deborah Norkavage voiced her concerns regarding maintenance to the tower once the antenna are in place.

Ms. Hoffman stated that Metro PCS will be responsible to maintain the their equipment on the tower however the overall structure would be maintained by the Elsmere Fire Company.

Mayor Norkavage asked what kind of disruption would occur during the installation of the cellular tower and what the time frame for installation of the equipment is.

Ms. Hoffman stated that her company does not believe that the installation will cause any disruption to the neighboring properties. The upgrades to the tower and the installation of the equipment would take approximately a month to complete.

Mayor Norkavage asked if Metro PCS saw any need to possible add additional equipment to the tower in the future.

Ms. Hoffman stated that she does not believe it will be necessary and they currently do not have any plans to do so at this time.

2nd District Councilman Steve Burg questioned what the antenna would generally look like and how they worked.

Metro Representative Peter stated that the antenna's are in sets of 2 or 3 that would be able to be positioned in any direction.

Councilman Burg stated that he is concerned with the look of the antenna and having it fit into the Town's Main Street USA goal.

Mayor Norkavage asked Ms. Hoffman to show her where the coverage gap would occur without the antenna.

Mayor Norkavage asked if Metro PCS has an estimate on how many Elsmere residents would benefit from the installation of this tower.

Ms. Hoffman stated that she would need to have someone else come to the meeting to speak about that because she is unaware of what that number is.

Mayor Norkavage pointed out that the area that currently lacks coverage are in the areas of the Town where the most low income families currently live. She is however still concerned with the overall look of the tower and having the town keep their Main Street USA look.

Ms. Hoffman stated that she does understand the Town's concern with the look of the tower and placing it in the main street of the town, however, she has looked at other sites and if they bring in a tower at another site some areas will benefit however a coverage gap will still occur in some areas.

Mayor Norkavage voiced her opinion and stated that she does not believe that the antenna would benefit the town to such a large extent that it would off set the concerns of the Main Street USA look that we strive to achieve.

ACTION: A motion was made by Chairman Backer to recommend that the Board of Adjustments Deny petition 09-08 due to the appearance of the equipment in the center of the Town. The motion was seconded by Commissioner Swain.

VOTE: All in favor **VOTE:** 7-0 Motion Carried

OLD BUSINESS:

None

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Commissioner Swain to adjourn. The motion was seconded by Commissioner Smith.

VOTE: All in favor **VOTE:** 7-0 Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the July 7, 2009 Planning Commission Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

LEON BACKER, CHAIRMAN

CHARLES LINDELL, SECRETARY